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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/803,896	03/19/2004	Jun Ebata	250627US2	6781
22850 7590 12/14/2007 OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER MORAN, RANDAL D	
			ART UNIT	PAPER NUMBER
			2135	
			NOTIFICATION DATE	DELIVERY MODE
			12/14/2007	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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## Office Action Summary

Application No.

10/803,896

Applicant(s)

EBATA, JUN

Examiner

Randal D. Moran

Art Unit

2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 25 September 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-22 and 24-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 1-22 and 24-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. Claim 23 is cancelled per amendment filed 9/25/2007. Claims 1-22, 24-32 are pending in this application.
2. This office action is in response to amendment filed 9/25/2007.
3. Below, Examiner has pointed out particular references contained in the prior art(s) of record in the body of this action for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claims, other passages and figures may apply as well. Applicant should consider the entire prior art as applicable as to the limitations of the claims. It is respectfully requested from the applicant, in preparing the response, to consider fully each reference in its entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior arts or disclosed by the examiner.

### *Claim Objections*

1. **Claims 10, 11, 31, and 32** are objected to for failing to define "recording medium." "Recording medium" is not explicitly defined in the specification. For the

purposes of examination, "recording medium" will be treated as a tangible storage media.

***Claim Rejections - 35 USC § 101***

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2. **Claims 1-22 and 24-32** are rejected under 35 U.S.C. 101 because the claims for the invention are directed to non-statutory subject matter, as they do not fall under any of the statutory classes of inventions. The language in the claims raise an issue because the "information providing device" of **Claims 1-11** or the "user authentication device" of **Claims 12-32** is not defined within the specification and is therefore directed merely to an abstract idea that is not tied to an article of manufacture which would result in a practical application producing a concrete, useful, and tangible result to form the basis of statutory subject matter under 35 U.S.C. 101.

The claims could reasonably be drawn to functional descriptive material, per se, i.e., "program" and may be taken to mean software alone, and as such, the claims would be directed to non-statutory subject matter.

***Claim Rejections - 35 USC § 112***

1. Applicant's arguments, filed 9/25/2007, with respect to the 112 rejection of Claim 23 have been fully considered and are persuasive. The rejection of **Claim 23** has been withdrawn.

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 1-19, 20-23, 24, 25, 27-32** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Gennaro et al. (US 6,317,834)**, hereafter "Gennaro" in view of **Wheeler (US 2002/0026575)**, hereafter "Wheeler".

3. Considering **Claims 1, 7 and 10**, Gennaro discloses an information providing device (abstract) comprising: a provider association unit making a plurality of information providers (Fig. 4B- item 28, item 30, item 32), including first and second information providers (Fig. 4B- item 30 and item 32), be associated with

each other (Fig. 4B- item 42), the plurality of information providers providing respective user information items (column 7- lines 16-39), the provider association unit comprising: a first unit causing the first information provider to receive a first user information item (Fig. 6- item 74, item 82, column 8- lines 9-24), stored in a first information management unit (Fig. 4A, column 6- lines 4-8), in response to a user information receiving request (column 7- lines 8-9); a second unit causing the second information provider to receive a second user information item (Fig. 6- item 90, column 7- lines 34-37), correlated with the first user information item and stored in a second information management unit (Fig. 3, column 5- lines 46-54), in response to a predetermined identification data (column 8- lines 24-32); and a third unit outputting a unified information item which is created by combining the first user information item and the second user information item based on the predetermined identification data (column 8- lines 37-47).

Gennaro does not explicitly disclose wherein the second information provider receives the second user information item only when the user information receiving request exceeds a range of validity associated with the first information provider.

Wheeler discloses the second information provider receives the second user information item only when the user information receiving request exceeds a range of validity associated with the first information provider ([0162]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Gennaro by discloses the second information provider receives the second user information item only when the user information receiving request exceeds a range of validity associated with the first information provider as taught by Wheeler for the benefit of increasing the strength of authentication based upon the specific resource being protected. For example, if the resource is a parking deck, only a minimal level of entity authentication is necessary; if the resource is a corporate checking account, stronger entity authentication is likely required; if the resource is the control system for launching nuclear warheads, even stronger entity authentication is required (Wheeler- [0161]).

4. Considering **Claims 12, 24, 25, 27, and 31**, Gennaro discloses a user authentication device (abstract) comprising: a provider association unit which makes a plurality of authentication providers (Fig. 4B- item 28, item 30, item 32), including first and second authentication providers (Fig. 4B- item 30 and item 32), be associated with each other (Fig. 4B- item 42), the provider association unit comprising: a first unit causing the first authentication provider to perform, in

response to a first authentication request, a first user authentication based on a first user identification data that is specified in the first authentication request (column 8- lines 9-32, Fig. 6); and a second unit causing the second authentication provider to perform, in response to a second authentication request related to a user approved by the first user authentication, a second user authentication based on a second user identification data that is correlated with the first user identification data (column 8- lines 32-47, Fig. 6).

Gennaro does not explicitly disclose wherein the second information provider receives the second user information item only when the user information receiving request exceeds a range of validity associated with the first information provider.

Wheeler discloses the second information provider receives the second user information item only when the user information receiving request exceeds a range of validity associated with the first information provider ([0162]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Gennaro by discloses the second information provider receives the second user information item only when the user information receiving request exceeds a range of validity associated with the first information provider as taught by Wheeler for the benefit



of increasing the strength of authentication based upon the specific resource being protected. For example, if the resource is a parking deck, only a minimal level of entity authentication is necessary; if the resource is a corporate checking account, stronger entity authentication is likely required; if the resource is the control system for launching nuclear warheads, even stronger entity authentication is required (Wheeler- [0161]).

5. Considering **Claims 2, 8, and 11**, the combination of Gennaro and Wheeler discloses the user information receiving request contains retrieval conditions specified therein, and the provider association unit causes the first and second information providers to respectively receive the first and second user information items that satisfy the retrieval conditions (Gennaro-Fig. 4B, column 7- lines 8-21).
6. Considering **Claims 3 and 9**, the combination of Gennaro and Wheeler discloses the provider association unit is provided to unify the information items received by the first and second information providers for every user (Gennaro-column 8- lines 37-47, Fig. 4B- item 42).
7. Considering **Claims 4 and 13**, the combination of Gennaro and Wheeler discloses the user authentication device further comprises the first authentication provider and the second authentication provider (Gennaro-Fig. 3, Fig 4B).

8. Considering **Claims 5, 16, and 29**, the combination of Gennaro and Wheeler discloses the user authentication device further comprises: a first-authentication-provider information management unit managing a first-authentication-provider identification data which identifies the first authentication provider from among the plurality of authentication providers (Gennaro-Fig. 3- item 330, column 7- lines 7-12); and a second-authentication-provider information management unit managing a second-authentication-provider identification data which identifies the second authentication provider from among the plurality of authentication providers (Gennaro-Fig. 3- item 330, column 7- lines 35-45).
9. Considering **Claims 6, 17, and 30**, the combination of Gennaro and Wheeler discloses the user authentication device further comprises a call information management unit in which a plurality of call information items used to call the plurality of authentication providers respectively are recorded (Gennaro-Fig. 3- item 340), and the provider association unit causes the first and second authentication providers to perform the first and second user authentications respectively by calling the first and second authentication providers based on the call information management unit (Gennaro-column 5- lines 17-38).
10. Considering **Claims 14, 15, 28, and 32**, the combination of Gennaro and Wheeler discloses the provider association unit further comprises a user-identification management unit in which the first user identification data and the

second user identification data are correlated to each other and recorded (Gennaro-Fig. 3- item 330), and the provider association unit is provided to search for the second user identification data in the user-identification management unit based on the first user identification data (Gennaro-column 5- lines 17-23, column 7- lines 7-21).

11. Considering **Claim 18**, the combination of Gennaro and Wheeler discloses the first authentication provider creates a first electronic ticket which certifies approval of the user by the first authentication provider (Gennaro-column 7- lines 17-37), the second authentication provider creates a second electronic ticket which certifies approval of the user by the second authentication provider (Gennaro-column 7- lines 37-50), and the user authentication device provides information containing the first electronic ticket (Gennaro-column 7- lines 17-37), in response to the first authentication request and provides information containing the second electronic ticket, in response to the second authentication request (Gennaro-column 7- lines 37-50).
12. Considering **Claim 19**, the combination of Gennaro and Wheeler discloses the provider association unit creates a merge ticket in which the first electronic ticket and the second electronic ticket are unified (Gennaro- Fig. 6- item 92 and item 94), and the user authentication device provides a first merge ticket in which the first electronic ticket is unified (Gennaro-Fig. 6- item 84), in response to the first

authentication request (Gennaro-Fig. 6- item 82), and provides a second merge ticket in which the second electronic ticket is unified further (Gennaro-Fig. 6- item 92), in response to the second authentication request (Gennaro-Fig. 6- item 90).

13. Considering **Claims 20-23**, the combination of Gennaro and Wheeler discloses the user authentication device provides the merge ticket which is encoded (Wheeler- [0004]), contains a term of validity (Wheeler- [0007]- expiration date, contains a code for ticket falsification check (Wheeler- [0007]- serial number)
14. **Claim 26** is rejected under 35 U.S.C. 103(a) as being unpatentable over **Gennaro and Wheeler**.
15. Considering **Claim 26**, Gennaro does not explicitly disclose the provider association unit is provided with a call function using a remote procedure call of SOAP.

Gennaro is silent on an exact protocol used to generate call function. SOAP is a widely recognized protocol for exchanging messages over multiple computers. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Gennaro to provide remote procedure calls using SOAP as was widely known in the art for the benefit of

facilitating communication between computers while allowing the use of multiple transport protocols such as HTTP, TCP, and SNMP.

### ***Conclusion***

1. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- US 5,535,276 – Method for secure communications.
- US 5,671,354 – User Authentication.
- US 2003/0177392 – First and Second User Authentication.
- US 6,715,082 – Security Server Token Caching.
- US 2001/0052082 – Two-Factor Authentication.

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Randal D. Moran whose telephone number is 571-270-1255. The examiner can normally be reached on M-F: 7:00 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on 571-272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

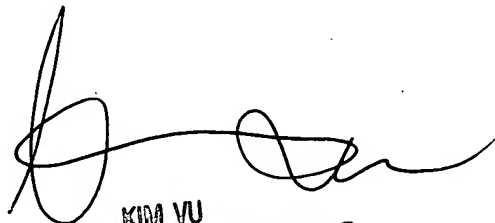
Application/Control Number:  
10/803,896  
Art Unit: 2135

Page 13

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Randal D. Moran  
/RDM/

11/27/2007



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PATENT EXAMINER  
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